

Dennis G. Woods, OSB No. 051728  
dwoods@scheerlaw.com  
SCHEER, HOLT, WOODS & SCISCIANI LLP  
101 SW Main St., Suite 1600  
Portland, OR 97204  
Phone: (503) 542-1200  
Fax: (503) 542-5248  
Attorneys for Defendant Terry Dotson

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

TYLER THESSIN, as Guardian Ad Litem  
for ADLER THESSIN, minor,

Plaintiff,

v.

TERRY DOTSON and UBER  
TECHNOLOGIES, INC.,

Defendants.

NO. 3:19-CV-00440

NOTICE OF REMOVAL AND  
DEMAND FOR JURY TRIAL

**To: Clerk Of The Court, United States District Court For The District Of Oregon,  
Portland Division**

**PLEASE TAKE NOTE** that Defendant Terry Dotson, hereby removes to this Court the State action described below in accordance with 28 U.S.C. §§ 1332, 1441 and 1446.

**I. STATE COURT ACTION**

The State Court action to be removed is *Tyler Thessin v. Terry Dotson and Uber Technologies, Inc.*, Multnomah County Circuit Court Case No. 19CV06416. See Declaration of Dennis Woods (“Woods Decl.”), Ex. 1, Summons and Complaint.

//

## **II. TIME FOR REMOVAL**

Plaintiff filed his action in Multnomah County Circuit Court on or about February 7, 2019. The Summons and Complaint are attached as **Exhibit 1**. The Complaint was served on Defendant Terry Dotson, on or about February 25, 2019. Pursuant to 28 U.S.C. § 1446(b), a party may remove an action to Federal District Court within 30 days of service of process. Defendant Terry Dotson, therefore, has until March 27, 2019, or 30 days after service of Plaintiff's Complaint to move for removal to this Federal District Court. 28 U.S.C. § 1446(b).

## **III. APPLICABLE LAW**

A party may seek removal of a State Court action where the amount in controversy exceeds \$75,000 and the action is between citizens of different states. 28 U.S.C. § 1332(a)(1).

## **IV. BASIS FOR REMOVAL**

1. This is a personal injury claim arising from a car accident that took place in Multnomah County, Oregon.
2. Plaintiff's Complaint seeks \$405,000.00 in damages. Woods Decl., Ex. 1¶ 1.
3. Upon information and belief, Plaintiff is a resident of the State of Oregon. Woods Decl., Ex. 1¶ 4.
4. On the date Plaintiff's Complaint was filed and the date of the filing of this Notice of Removal, Dotson was a resident of the State of Washington.
5. On the date Plaintiff's Complaint was filed and the date of the filing of this Notice of Removal, Uber Technologies, Inc. is incorporated in the State of Delaware with its principal place of business in the State of California. Woods Decl., Ex. 1¶ 6.

6. No defendant in this action was a citizen of the State of Oregon as of the date of filing of Plaintiff's Complaint, February 7, 2019, nor is any defendant presently a citizen of the State of Oregon.

**V. NOTICE TO STATE COURT AND ADVERSE PARTIES**

Defendant will promptly file a copy of this Notice with the clerk of the Multnomah County Circuit Court and will give written notice to all adverse parties. 28 U.S.C. §1446(d).

WHEREFORE, Defendant requests that this action, *Tyler Thessin v. Terry Dotson and Uber Technologies, Inc.*, Multnomah County Circuit Court Case No. 19CV06416, be removed to the United States District Court for the District of Oregon, Portland Division. Defendant further demands a jury trial.

DATED this 26<sup>th</sup> day of March, 2019.

SCHEER, HOLT, WOODS & SCISCIANI LLP

By /s/ Dennis G. Woods  
Dennis G. Woods, OSB No. 051728  
Attorney for Defendant Terry Dotson

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Oregon, that the following is true and correct:

I am employed by the law firm of Scheer, Holt, Woods & Scisciani LLP.

At all times hereinafter mentioned, I was and am a citizen of the United States of America, a resident of the State of Washington filing on behalf of our Portland office, over the age of eighteen (18) years, not a party to the above-entitled action, and competent to be a witness herein.

On the date set forth below I served the document(s) to which this is attached, in the manner noted on the following person(s):

PARTY/COUNSEL	DELIVERY INSTRUCTIONS
<b><u>CO/ Plaintiff</u></b>	( X ) Via U.S. Mail
<b><u>Michael A. Colbach</u></b>	( X ) Via Email
<b><u>434 NW 19<sup>th</sup> Ave.</u></b>	( ) Via Facsimile
<b><u>Portland, OR 97209</u></b>	( ) Via Overnight Mail
<b><u>mike@colbachlaw.com</u></b>	

DATED this 26<sup>th</sup> day of March, 2019, at Seattle, Washington on behalf of the Portland, Oregon office.

/s/ Christie Kramer

Christie Kramer, Legal Assistant